

United States Department of the Interior

Bureau of Land Management

**Determination of NEPA Adequacy
DOI-BLM-Y010-2016-0108 DNA**

February 2016

Special Recreation Permit for the Cisco to Castle Creek/ Moab Daily & Lower Dolores Access Program

Location: Colorado River between Cisco and Castle Creek to the BLM Take-out.

Applicant/Address:

- Ann Marie Meighan- Adaptive Sports Association- 125 E. 32nd St. Durango, CO 81301
 - Molly Tiernan – Aspen Middle School, 235 High School Rd. Aspen, CO 81611
 - Kory Meidell – Castle Valley, Inc. HC 64 Box 2201, Castle Valley, UT 84532
 - Grace Brofan– Colorado College, 14 E. Cache la Poudre St. Colorado Springs, CO 80904
 - Walt Bergman- Colorado Discover Ability, PO Box 1924, Grand Junction, CO 81502
 - Tom Penzel- Compass for Lifelong Discovery/ Carbondale Community School,
PO Box 365/ 1505 Delores Way Carbondale, CO 81623
 - Tom Whalen- Fort Lewis College, 1000 Rim Drive, Durango, CO 81301
 - Nick Wilson- Rocky Mountain School of Expeditionary Learning, 1700 S. Holly St.
Denver, CO 80222
 - Greg Davis – USU Logan, 7200 Old Main Hill Logan, UT 84322
 - Daniel Turner – Weber State University, 4022 Stadium Way Dept. 3301 Ogden, UT 84408
 - Megan Boyer – Westminster College, PO Box 1271 Kamas, UT 84036
 - Thomas Zimmer- Wyoming Catholic College, 306 Main St, Lander, WY 82520
 - Bobby Lewis, The Link School, 18885 CR 367, Buena Vista, CO 81211
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Worksheet



Worksheet

Determination of NEPA Adequacy

U.S. Department of the Interior
Utah Bureau of Land Management

The signed CONCLUSION at the end of this worksheet is part of an interim step in the BLM's internal analysis process and does not constitute an appealable decision; however, it constitutes an administrative record to be provided as evidence in protest, appeals and legal procedures.

OFFICE: Moab Field Office

PROJECT NUMBER: MFO-Y010-16-058R, MFO-Y010-16-059R, MFO-Y010-16-060R, MFO-Y010-16-061R, MFO-Y010-16-062R, MFO-Y010-16-063R, MFO-Y010-16-064R, MFO-Y010-16-065R, MFO-Y010-16-066R, MFO-Y010-16-067R, MFO-Y010-16-068R, MFO-Y010-16-069R, MFO-Y010-16-070R, MFO-Y010-16-071R

PROPOSED ACTION TITLE: Special Recreation Permit for the Cisco to Castle Creek Moab Daily Access Program: Colorado River between Cisco and Castle Creek to the BLM Take-out: Adaptive Sports Association- Durango, Colorado Discover Ability, Carbondale Community School, Rocky Mountain School of Expeditionary Learning, Wyoming Catholic College

LOCATION/LEGAL DESCRIPTION: Colorado River between Cisco and Castle Creek to the BLM Take-out, as well as the lower Dolores River from Gateway to Dewey Bridge.

APPLICANT:

- Ann Marie Meighan- Adaptive Sports Association
- Molly Tiernan – Aspen Middle School
- Kory Meidell – Castle Valley, Inc.
- Grace Brofan– Colorado College
- Walt Bergman- Colorado Discover Ability
- Bobby Lewis, The Link School
- Tom Penzel- Compass for Lifelong Discovery/ Carbondale Community School
- Kory Meidell- Daystar Academy
- Tom Whalen- Fort Lewis College
- Nick Wilson- Rocky Mountain School of Expeditionary Learning
- Greg Davis – USU Logan
- Daniel Turner – Weber State University
- Megan Boyer – Westminster College
- Thomas Zimmer- Wyoming Catholic College
- Robert Landis- Community School

A. Description of the Proposed Action and Any Applicable Mitigation Measures

Ann Marie Meighan- Adaptive Sports Association, Molly Tiernan – Aspen Middle School, Kory Meidell – Castle Valley, Inc., Grace Brofan– Colorado College, Walt Bergman- Colorado Discover Ability, Bobby Lewis, The Link School, Tom Penzel- Compass for Lifelong Discovery/ Carbondale Community School, Kory Meidell- Daystar Academy, Tom Whalen- Fort Lewis College, Nick Wilson- Rocky Mountain School of Expeditionary Learning, Greg Davis – USU Logan, Daniel Turner – Weber State University, Megan Boyer – Westminster College, Thomas Zimmer- Wyoming Catholic College, Robert Landis- Community School respectively have requested an Special Recreation Permit (SRP) which would provide a limited time authorization to conduct commercial river tours on the Colorado River between Cisco and Castle Creek to the BLM Take-out administered by the Moab Field Office and Utah Forestry, Fire and State Lands. The Cisco to Castle Creek/ Moab Daily Access Program was developed by the Moab Field Office with the intent of increasing access to adaptive sports groups and or educational/ institutional entities. The Utah Forestry, Fire and State Lands waived the 'Right of Entry' permit requirement for the portion of the Colorado River from Castle Creek to BLM Take-out for the pilot awards during the 2011 year. In 2012 they required the awardees obtain a Right of Entry Permit and this requirement remains in place for participants in the program.

The Moab Resource Management Plan, signed October 2008 established twenty-two commercial permits for the Cisco to Castle Creek portion of the Colorado River and fourteen commercial permits for the lower Dolores river. This Access Program utilizes one of the twenty-two available commercial permits for the Colorado and one of the fourteen commercial permits for the lower Dolores. A pilot program was conducted in 2011 and 2012 and due to the success of the program this office will continue to administer the opportunity as an 'Access Program'. A working group consisting of representatives from the Moab BLM and the Utah Outfitters and Guide Association was established in 2010 to develop evaluation criteria and review all Pilot and Access Program applications. The Pilot Program consisted of 26 non-consecutive, non-overlapping one week launch periods, Monday to Sunday between April 30 and October 30. The Access Program consists of 35 non-consecutive, non-overlapping one week launch periods, Monday to Sunday between February 29 and November 6, 2016. This is the first year of opening the program to use on the Lower Dolores. Standard Statewide Commercial River Stipulations and Access Program specific stipulations would be attached to the Cisco to Castle Creek/ Moab Daily and Lower Dolores Access Program Special Recreation Permits.

B. Land Use Plan (LUP) Conformance

LUP Name* Moab Resource Management Plan

Date Approved October, 2008

*List applicable LUPs (for example, resource management plans; activity, project, management or program plans; or applicable amendments thereto).

The proposed action is in conformance with the applicable LUPs because it is specifically provided for in the following LUP decisions:

Page 97 of the Moab RMP reads as follows: "Special Recreation Permits are issued as a discretionary action as a means to: help meet management objectives, provide opportunities for

economic activity, facilitate recreational use of public lands, control visitor use, protect recreational and natural resources, and provide for the health and safety of visitors.” In addition, on page 98 of the Moab RMP, it states, “All SRPs will contain standard stipulations appropriate for the type of activity and may include stipulations necessary to protect lands or resources, reduce user conflicts, or minimize health and safety concerns....Issue and manage recreation permits for a wide variety of uses to enhance outdoor recreational opportunities, provide opportunities for private enterprise, manage user-group interaction, and limit the impacts to such uses upon natural and cultural resources.”

The Moab Resource Management Plan (RMP), Final Environmental Impact Statement, signed October 31, 2008, identified lands with wilderness characteristics. The proposed includes some areas determined to have wilderness characteristics. The proposed activity would not result in any in the impacts or impairment to these lands.

C. Identify the applicable National Environmental Policy Act (NEPA) documents and other related documents that cover the proposed action.

List by name and date all applicable NEPA documents that cover the proposed action.

Moab Resource Management Plan, Final Environmental Impact Statement, signed October, 2008 as follows:

Two Rivers SRMA - (29,839) a destination SRMA with the objective of continuing to provide distinct, high quality opportunities for recreational boating and camping and to protect the outstanding resource values. Use launch systems and campsite assignments to reduce inter-party contacts.

“Boating Management -- Westwater Canyon: Manage to provide an opportunity for whitewater boating in a primitive and remote setting. Permits required for private and commercial use...For commercial use, establish a maximum trip size of 25 passengers, plus one crew member per passenger carrying raft, plus two additional crew. Establish a commercial daily launch limit of 75 passengers. Permit 18 commercial outfitters.” (page 95)

“Boating Management – Cisco Landing to Dewey Bridge: Manage to provide an opportunity for scenic flat water boating or as an extension of Westwater Canyon trips.”

Colorado Riverway SRMA (89,936) “Manage the Dewey Bridge to Castle Creek portion of the Colorado River to provide opportunities for high use boating in a scenic setting.”

Boating Management – “Dewey to Castle Creek: Manage to provide an opportunity for scenic, mild whitewater boating. No restrictions on amount of private use will be established unless unacceptable resource impacts occur. Permit 22 unallocated commercial permits. No further restrictions on amounts of commercial use will be established.” (page89)

Boating Management- Dolores River from Bridge Canyon to its confluence with the Colorado River: Manage to provide opportunity for scenic whitewater boating trips. Permits required for private and commercial use. Establish maximum group size of 25 (excluding guides on commercial river trips). Do not establish daily launch limits. Permit 14 unallocated commercial outfitters.

D. NEPA Adequacy Criteria

1. Is the new proposed action a feature of, or essentially similar to, an alternative analyzed in the existing NEPA document(s)? Is the project within the same analysis area, or if the project location is different, are the geographic and resource conditions sufficiently similar to those analyzed in the existing NEPA document(s)? If there are differences, can you explain why they are not substantial?

☒ Yes
☐ No

Documentation of answer and explanation:

Yes; the existing NEPA document addresses the impacts of commercially guided river tours on river segments within the Moab Field Office boundary.

2. Is the range of alternatives analyzed in the existing NEPA document(s) appropriate with respect to the new proposed action (or existing proposed action), given current environmental concerns, interests, and resource values?

☒ Yes
☐ No

Documentation of answer and explanation:

Yes; the 2008 Moab Resource Management Plan contains analysis of the proposed action. The environmental concerns, interests, resource values, and circumstances have not changed to a degree that warrants broader consideration.

3. Is existing analysis adequate in light of any new information or circumstances (such as, rangeland health standards assessment; recent endangered species listings, updated list of BLM sensitive species)? Can you reasonably conclude that new information and new circumstances would not substantially change the analysis of the new proposed action?

☒ Yes
☐ No

Documentation of answer and explanation:

Yes; the existing analysis and conclusions are adequate as there has been no new information or circumstances presented. It can be reasonably concluded that all new information and circumstances are insignificant with regard to analysis of the proposed action.

4. Are the direct, indirect, and cumulative effects that would result from implementation of the new proposed action similar (both quantitatively and qualitatively) to those analyzed in the existing NEPA document?

☒ Yes
☐ No

Documentation of answer and explanation:

Yes; the direct and indirect impacts are substantially unchanged from those identified in the existing NEPA document. Yes; site-specific impacts analyzed in the existing document are the same as those associated with the current proposed action.

5. Are the public involvement and interagency review associated with existing NEPA document(s) adequate for the current proposed action?

☒ Yes
☐ No

Yes; there was an extensive amount of public involvement associated with the 2008 Resource Management Plan Environmental Impact Statement. Notification for the current proposed action was posted on ePlanning February 25, 2016. This level of involvement and notification is adequate for the current proposed action.

E. Persons/Agencies/BLM Staff Consulted:

<u>Name</u>	<u>Title</u>	<u>Resource Represented</u>
Ann Marie Aubry	Hydrologist	Air quality; Water quality; Floodplains, Wetlands/Riparian Zones
Katie Stevens	Recreation Planner	Areas of Critical Environmental Concern; Visuals, Wild & Scenic Rivers, Recreation
Jared Lundell	Archaeologist	Cultural Resources; Native American Religious Concerns
Jordan Davis	Rangeland Management Specialist	Invasive, Non-native species, Woodlands
Dave Williams	Rangeland Management Specialist	Livestock Grazing, RHS, Vegetation, Threatened, Endangered, or Candidate

		Plant Species, USFWS
Pam Riddle	Wildlife Biologist	Threatened, Endangered, Sensitive or Candidate Animal Species, Migratory Birds
Bill Stevens	Recreation Planner	Wilderness, Natural Areas, Lands with Wilderness Characteristics, Socioeconomics, Environmental Justice,
Jan Denney	Realty Specialist	Lands/ Access
David Pals	Geologist	Wastes (hazardous or solid)
ReBecca Hunt-Foster	Paleontologist	Paleontology

CONCLUSION

Plan Conformance:

- ☒ This proposal conforms to the applicable land use plan.
- ☐ This proposal does not conform to the applicable land use plan

Determination of NEPA Adequacy

- ☒ Based on the review documented above, I conclude that this proposal conforms to the applicable land use plan and that the NEPA documentation fully covers the proposed action and constitutes BLM's compliance with the requirements of the NEPA.
- ☐ The existing NEPA documentation does not fully cover the proposed action. Additional NEPA documentation is needed if the project is to be further considered.

Ke Stevens
Signature of Project Lead

3/3/16
Date

RC Stevens
Signature of NEPA Coordinator

3/3/16
Date

Jan Denney
Signature of the Responsible Official

3/3/16
Date

Note: The signed Conclusion on this Worksheet is part of an interim step in the BLM's internal decision process and does not constitute an appealable decision. However, the lease, permit, or other authorization based on this DNA is subject to protest or appeal under 43 CFR Part 4 and the program-specific regulations.

ATTACHMENTS:

ID Team Checklist

INTERDISCIPLINARY TEAM CHECKLIST

Project Title: Special Recreation Permit for the Moab Daily and Dolores Access Program

NEPA Log Number: DOI-BLM-UT-Y010-2016-0108 DNA

File/Serial Number: MFO-Y010-16-058R, MFO-Y010-16-059R, MFO-Y010-16-060R, MFO-Y010-16-061R, MFO-Y010-16-062R, MFO-Y010-16-063R, MFO-Y010-16-064R, MFO-Y010-16-065R, MFO-Y010-16-066R, MFO-Y010-16-067R, MFO-Y010-16-068R, MFO-Y010-16-069R, MFO-Y010-16-070R, MFO-Y010-16-071R

Project Leader: Jennifer Jones

DETERMINATION OF STAFF: (Choose one of the following abbreviated options for the left column)

NP = not present in the area impacted by the proposed or alternative actions

NI = present, but not affected to a degree that detailed analysis is required

PI = present with potential for relevant impact that need to be analyzed in detail in the EA

NC = (DNAs only) actions and impacts not changed from those disclosed in the existing NEPA documents cited in Section D of the DNA form. The Rationale column may include NI and NP discussions.

The following elements are not present in the Moab Field Office and have been removed from the checklist:
Farmlands (Prime or Unique), Wild Horses and Burros.

Determination	Resource	Rationale for Determination*	Signature	Date
RESOURCES AND ISSUES CONSIDERED (INCLUDES SUPPLEMENTAL AUTHORITIES APPENDIX 1 H-1790-1)				
NC	Air Quality Greenhouse Gas Emissions		Ann Marie Aubry AMA	2/24/16
NC	Floodplains		Ann Marie Aubry AMA	2/24/16
NC	Soils		Ann Marie Aubry AMA	2/24/16
NC	Water Resources/Quality (drinking/surface/ground)		Ann Marie Aubry AMA	2/24/16
NC	Wetlands/Riparian Zones		Mark Grover MG	2/24/16
NC	Areas of Critical Environmental Concern		Katie Stevens KS	2/24/16
NC	Recreation		Katie Stevens KS	2/24/16
NC	Wild and Scenic Rivers		Katie Stevens KS	2/24/16
NC	Visual Resources		Katie Stevens KS	2/24/16
NC	Wild Lands (BLM Natural Areas)		Bill Stevens BS	2/24/16
NC	Socio-Economics		Bill Stevens BS	2/24/16
NC	Wilderness/WSA		Bill Stevens BS	2/24/16
NC	Lands with Wilderness Characteristics		Bill Stevens BS	2/24/16
NC	Cultural Resources		Don Montoya Jared Lundell	2/24/16
NC	Native American Religious Concerns		Don Montoya Jared Lundell	2/24/16

Determination	Resource	Rationale for Determination*	Signature	Date
NC	Environmental Justice		Bill Stevens <i>BS</i>	2/24/16
NC	Wastes (hazardous or solid)		David Pals	
NC	Threatened, Endangered or Candidate Animal Species		Pam Riddle <i>PR</i>	2/24/16
NC	Migratory Birds		Pam Riddle <i>PR</i>	2/24/16
NC	Utah BLM Sensitive Species		Pam Riddle <i>PR</i>	2/24/16
NC	Fish and Wildlife Excluding USFW Designated Species		Pam Riddle <i>PR</i>	2/24/16
NC	Invasive Species/Noxious Weeds		<i>DW</i> Dave Williams	2/24/16
NC	Threatened, Endangered or Candidate Plant Species		<i>DW</i> Dave Williams	2/24/16
NC	Livestock Grazing		<i>JD</i> Dave Williams/ Jordan Davis/ Kim Allison	2/24/16
NC	Rangeland Health Standards		<i>JD</i> Dave Williams/ Jordan Davis/ Kim Allison	2/24/16
NC	Vegetation Excluding USFW Designated Species		<i>John Davis</i>	2/24/16
NC	Woodland / Forestry		<i>John Davis</i>	2/24/16
NC	Fuels/Fire Management		Josh Relph	
NC	Geology / Mineral Resources/Energy Production		David Pals	
NC	Lands/Access		Jan Denney	
NC	Paleontology		<i>Rebecca Hunt-Foster</i> Rebecca Hunt-Foster	2/24/16

FINAL REVIEW:

Reviewer Title	Signature	Date	Comments
Environmental Coordinator	Katie Stevens <i>KS</i>	3/3/16	
Authorized Officer	Jennifer Jones <i>JJ</i>	3/3/16	

**FINDING OF NO SIGNIFICANT IMPACT
AND
DECISION RECORD**

**Cisco to Castle Creek/ Moab Daily & Lower Dolores Access Program (commercial river trips)
DOI-BLM-UT-Y010-2016-0108 DNA**

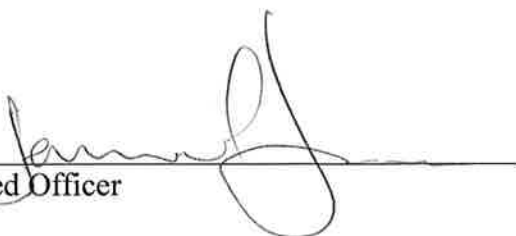
FONSI: Based on the analysis of potential environmental impacts contained in the present document, I have determined that the action will not have a significant effect on the human environment and an environmental impact statement is therefore not required.

DECISION: It is my decision to issue the short duration commercial Special Recreation Permit for the Cisco to Castle Creek/ Moab Daily Access Program Ann Marie Meighan- Adaptive Sports Association, Molly Tiernan – Aspen Middle School, Kory Meidell – Castle Valley, Inc., Grace Brofan– Colorado College, Walt Bergman- Colorado Discover Ability, Bobby Lewis, The Link School, Tom Penzel- Compass for Lifelong Discovery/ Carbondale Community School, Kory Meidell- Daystar Academy, Tom Whalen- Fort Lewis College, Nick Wilson- Rocky Mountain School of Expeditionary Learning, Greg Davis – USU Logan, Daniel Turner – Weber State University, Megan Boyer – Westminster College, Thomas Zimmer- Wyoming Catholic College, Robert Landis- Community School to operate within the specified time frame in the areas listed under the Proposed Action. This decision is contingent upon meeting all stipulations and monitoring requirements attached.

RATIONALE: The decision to authorize this commercial Special Recreation Permit for the Cisco to Castle Creek/ Moab Daily Access Program has been made with consideration of the potential environmental impacts of the proposed action. The action is in conformance with the Moab Resource Management Plan, which allows for recreation use permits for a wide variety of uses to enhance outdoor recreational opportunities, provide opportunities for private enterprise, manage user-group interaction, and limit the impacts to such uses upon natural and cultural resources.

APPEALS:

The decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR Part 4. Public notification of this decision will be considered to have occurred on September 22, 2014. Within 30 days of this decision, a notice of appeal must be filed in the office of the Authorized Officer at the Moab Field Office, 82 East Dogwood, Moab, Utah 84532. If a statement of reasons for the appeal is not included with the notice, it must be filed with the Interior Board of Land Appeals, Office of Hearings and Appeals, U.S. Department of the Interior, 801 North Quincy St., Suite 300, Arlington, VA 22203 within 30 days after the notice of appeal is filed with the Authorized Officer.



Authorized Officer

3/3/16

Date